

May 14, 2025

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
By: DT  
Deputy

UNITED STATES OF AMERICA,

Plaintiff,

v.

SETH HERRERA,

Defendant.

THE GRAND JURY CHARGES:

**COUNT ONE**  
**Attempted Sexual Exploitation of a Minor**

In or about June 2023, in the Western District of Texas and elsewhere, the Defendant,

**SETH HERRERA,**

attempted to employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction had actually been transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, all in violation of Title 18, United States Code, Sections 2251(a) and (e).

**COUNT TWO**  
**Receipt of a Visual Depiction Involving the Sexual Exploitation of a Minor**

From on or about March 7, 2021, through on or about August 6, 2023, in the Western

District of Texas and elsewhere, the Defendant,

**SETH HERRERA,**

did knowingly receive and attempt to receive one or more visual depictions using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been so shipped and transported, by any means, including by computer, and the production of which involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct, all in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

**NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE**

[See Fed. R. Crim. P. 32.2]

**I.**

**Possession of Child Pornography Violation and Forfeiture Statutes**

**[Title 18 U.S.C. §§ 2251(a) and (e), 2252(a)(2) and (b)(1), subject to criminal forfeiture pursuant to Title 18 U.S.C. §§ 2253(a)(1), (2) and (3)]**

As a result of the criminal violations set forth above, the United States of America gives notice to Defendant **SETH HERRERA** of its intent to seek the forfeiture of the property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. §§ 2253(a)(1), (2), and (3), which state:

**Title 18 U.S.C. § 2253. Criminal forfeiture**

**(a) Property subject to criminal forfeiture.** -A person who is convicted of an offense under this chapter involving a visual depiction described in section 2251, 2251A, 2252, 2252A, or 2260 of this chapter or who is convicted of an offense under section 2251B of this chapter, or who is convicted of an offense under chapter 109A, shall forfeit to the United States such person's interest in-

**(1)** any visual depiction described in section 2251, 2251A, 2252, 2252A, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual

depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

This Notice of Demand for Forfeiture includes but is not limited to the property described in Paragraph II.

**II.**  
**Property**

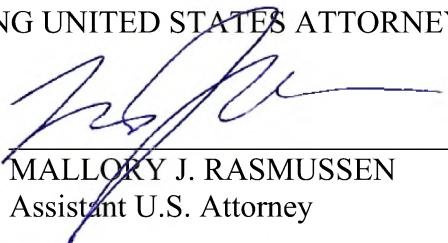
1. Samsung Galaxy S21 Ultra mobile device (IMEI: 356592513458147);
2. Samsung Galaxy S23 Ultra mobile device (IMEI: 358163261190783);
3. Samsung Galaxy S8+ mobile device (IMEI: 355979084004841);
4. Any and all other property and/or accessories involved in or used in the commission of the criminal offense; and
5. Any and all other property involving any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260.

A TRUE BILL.

[Redacted]  
FOREPERSON OF THE GRAND JURY

MARGARET F. LEACHMAN  
ACTING UNITED STATES ATTORNEY

BY:

  
MALLORY J. RASMUSSEN  
Assistant U.S. Attorney

BY:

  
RACHEL L. ROTHBERG  
Trial Attorney  
Child Exploitation and Obscenity Section